

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

ELEANOR SCHULER,

Plaintiff,
vs. CIVIL NO. 09-1025 JH/LFG

CLAUDE K. LEE, KATHERINE
BURR, PATRICIA E. LANDIS,
DANIEL S. BAILET, AMERICAN
TRI-STAR, INC. and NEURO SIGNAL
TECHNOLOGIES, INC.,

Defendants.

NEURO SIGNAL TECHNOLOGIES, INC.,

Third-Party Plaintiff,
vs.

NEUROX CORPORATION, NEURO-
SIGNALING FOUNDATION,

Third-Party Defendants.

NEURO SIGNAL TECHNOLOGIES, INC.,
CLAUDE K. LEE, KATHERINE BURR,
PATRICIA E. LANDIS, DANIEL S.
BAILET and AMERICAN TRI-STAR, INC.,

Counter Claimants,
vs.

ELEANOR SCHULER,

Counter Defendant.

STIPULATED ORDER OF DISMISSAL WITH PREJUDICE

THIS MATTER having come before the Court on the Joint Motion of the

Defendants/Counter Claimants, Claude K. Lee, Katherine Burr, Patricia E. Landis, Daniel S. Bailet and American Tri-Star, Inc., Defendant/Counter Claimant/Third-Party Plaintiff, Neurosignal Technologies, Inc., Plaintiff/Counter Defendant, Eleanor Schuler, and Third-Party Defendants, Neurox Corporation and Neurosignaling Foundation, for dismissal of all claims of the Plaintiff/Counter Defendant, Eleanor Schuler, against the Defendants/Counter Claimants, Claude K. Lee, Katherine Burr, Patricia E. Landis, Daniel S. Bailet and American Tri-Star, Inc., and Defendant/Counter Claimant/Third-Party Plaintiff, Neurosignal Technologies, Inc., for dismissal of the Counterclaim of the Defendants/Counter Claimants, Claude K. Lee, Katherine Burr, Patricia E. Landis, Daniel S. Bailet and American Tri-Star, Inc., and Defendant/Counter Claimant/Third-Party Plaintiff, Neurosignal Technologies, Inc., against Plaintiff/Counter Defendant, Eleanor Schuler, and for dismissal of the Third Party Complaint of Defendant/Counter Claimant/Third-Party Plaintiff, Neurosignal Technologies, Inc., against Third-Party Defendants, Neurox Corporation and Neurosignaling Foundation, the Court having considered the Motion and being otherwise fully advised and informed in the premises finds that the Motion is well taken and should be granted.

IT IS THEREFORE ordered, adjudged and decreed as follows:

1. All claims of the Plaintiff/Counter Defendant, Eleanor Schuler, alleged or that could have been alleged against the Defendants/Counter Claimants, Claude K. Lee, Katherine Burr, Patricia E. Landis, Daniel S. Bailet, American Tri-Star, Inc. and Defendant/Counter Claimant/Third-Party Plaintiff, Neurosignal Technologies, Inc., be, and hereby are, dismissed with prejudice.

2. All claims of the Defendants/Counter Claimants, Claude K. Lee, Katherine Burr, Patricia E. Landis, Daniel S. Bailet, American Tri-Star, Inc. and Defendant/Counter Claimant/Third-Party Plaintiff, Neurosignal Technologies, Inc., alleged or that could have been alleged against the Plaintiff/Counter Defendant, Eleanor Schuler, be, and hereby are, dismissed with prejudice.

3. All claims of the Defendant/Counter Claimant/Third-Party Plaintiff, Neurosignal Technologies, Inc., alleged or that could have been alleged against the Third-Party Defendants, Neurox Corporation and Neurosignaling Foundation, be, and hereby are, dismissed with prejudice.

4. The parties will bear their own attorneys fees and costs incurred herein.



HONORABLE JUDITH C. HERRERA
UNITED STATES DISTRICT JUDGE

APPROVED:

BUTT, THORNTON & BAEHR, P.C.

/s/ Rodney L. Schlagel

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Claimants and Defendant/Counter Claimant/
Third-Party Defendant
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